

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Helmut Eramelmann

Serial No. 09/449,021

Filed: November 24, 1999

For: **INTERACTIVE SERVER SIDE
COMPONENTS**

Group Art Unit: 2122

Examiner: C. Kendall

Assistant Commissioner for Patents
Washington, D.C. 20231

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6/12/03 Patent (373.02)
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CERTIFICATE OF MAILING	
I hereby certify that the correspondence enclosed herein is being deposited as first class mail with the United States Postal Service on the date indicated below, in an envelope addressed to:	
Asst. Commissioner for Patents, Washington, D.C. 20231	
Date:	By: <u>Leslie Mills</u>

DRAFT RESPONSE**TO OFFICE ACTION DATED FEBRUARY 28, 2003****DRAFT****REMARKS**

The applicant and his patent counsel request a telephonic interview with the examiner and his supervisor as soon as possible to discuss the prior art rejections and the relevant claim language.

In the Action dated February 28, 2003, the examiner rejected all of the independent claims as either anticipated by U.S. Patent No. 6,151,609 to Truong, or as obvious over the combination of Truong and U.S. Patent No. 5,987,513 to Prithvirag et al. However, applicant respectfully traverses the rejections. Applicant appreciates the indication of allowability as to numerous dependent claims.

First and foremost, it appears to applicant that the Truong patent is no more relevant to the present invention than the previously cited Massena patent. While Truong does disclose a web-based editor, it is a text editor and does not permit real time editing of fully functional,

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running web applications. It does not even provide WYSIWYG editing. Instead, Truong displays an html source code listing, i.e., plain text, during editing, not a running application, as shown in Fig. 5. Thus, scripts and other dynamic features are not executed by the Truong system during editing, and therefore the application cannot possibly appear similar to the running application during editing.

It is an advantageous feature of the present invention that a page being edited looks similar to the page observed by the end user when the application is running (except for additional editing features), and that is because the page continues to be fully operational during editing. There is nothing in Truong that teaches or suggests this feature. To the contrary, Truong's editor discloses "providing the text of the selected file to the web browser for editing as shown in FIG. 5." (Truong patent, col. 10:45-58)(emphasis added). After editing, "the edited text is sent from the client to the server and saved under the selected filename." (Id.)

Applicant believes that his claims adequately recite this distinction. For example, claim 1 recites "*an editor capable of directly operating on the pages displayed by the browser thereby allowing the user to work on a functional application during development.*" Fig. 5 of Truong shows his editor operating on application source code, and it is clear from the figure that the application is not functional. As discussed on pp. 3-5 of its prior substantive response (preliminary amendment) applicant's other independent claims include similar language that define the editor in terms that make clear that the application remains running and operational during editing.

Applicant is unsure whether the examiner truly believes that the Truong patent discloses the same type of editor, or whether he believes that the claim language does not provide patentable distinctions.

Truong also does not disclose "components" as described and claimed by applicant. For example, the examiner cited Truong at col.2:1-5 as disclosing a plurality of components residing in a data store. However, the cited portion of Truong refers to html forms and fields, which are built into the browser. Thus, these forms and fields reside on the client data store and are executed on the client computer, not the server. Claims 4 and 114, for example, explicitly require that the components reside in the data store on the server, and that they execute instructions on the server.

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For at least the foregoing reasons, applicant submits that the examiner is in error regarding the applicability of the Truong patent to applicant's claims, and reconsideration is requested. Applicant has not specifically addressed the Prithvirag patent since it adds little to the disclosure of Truong, and since Truong is considered not very relevant to the independent claims for the reasons stated above.

Respectfully submitted,

DERGOSITS & NOAH LLP

Dated: _____, 2003

By: _____

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FACSIMILE TRANSMISSION COVER SHEET

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TO: Examiner Chuck Kendall
Group Art Unit 2122
FACSIMILE NO.: 703-746-7240 TELEPHONE NO.:
FROM: Richard A. Nebb, Esq.
RE: Re: U.S. Patent Application No. 09/449,021
INTERACTIVE SERVER SIDE COMPONENTS
COMMENTS: Please see the attached.

<p>CERTIFICATE OF FACSIMILE TRANSMISSION UNDER 37 CFR 1.8</p> <p>I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office on this date June 12, 2003, addressed to: Asst. Commissioner for Patents, Washington, D.C. 20231, facsimile no. 703-746-7240, Examiner Chuck Kendall.</p> <p>By: <i>Leslie Mills</i> Leslie Mills</p>

Hard Copy To Follow: ☐ Yes ☒ No

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